

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
JUL 27 1967
SAN FRANCISCO, CALIF.

Page 1 of 3

'07 MJ 8886

) Magistrate's Case No.:
)
) COMPLAINT FOR VIOLATION OF
)
) Title 21, U.S.C., § 841(a)(1)
) Possession with Intent to
) Distribute (Felony)
)
)
)

And the complainant states that this complaint is based on the attached Statement of Facts, which is incorporated herein by reference.

MICHAEL DOCKERY, SPECIAL AGENT
Drug Enforcement Administration

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 29TH DAY
OF OCTOBER, 2007.

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 PROBABLE CAUSE STATEMENT

2
3 I, Special Agent Michael Dockery, declare under penalty of
4 perjury, the following is true and correct to the best of my
5 knowledge:

6 On October 27, 2007, at approximately 4:00AM, United States
7 Border Patrol Agent (USBPA) G. Armendariz was performing his
8 official duties near the AA Canal on Sidewinder Road. At that
9 time, USBPA Armendariz observed a Jeep, later identified as driven
10 by Frank WINKELMAN, parked near the AA Canal on Sidewinder Road.
11 USBPA Armendariz contacted WINKELMAN as WINKELMAN sat slouched in
12 the drivers seat of the Jeep. WINKELMAN said he was waiting for a
13 friend and then asked if there were any camping locations nearby.
14

15
16 A few minutes after USBPA Armendariz left the area, Ground
17 Surveillance Radar operator K. Johnson observed three subjects with
18 "bundles" run down the nearby hill toward WINKELMAN's Jeep.
19 USBPA subsequently stopped the Jeep for the above suspicious
20 behavior and discovered nine plastic wrapped brick like packets
21 emitting the smell of marijuana, and a loaded Ruger 9mm semi-
22 automatic handgun.
23

24
25 DEA Special Agents Michael Dockery and Jeffrey Butler were
26 called and responded to the location. SA Butler, as witnessed by
27 SA Dockery advised WINKELMAN of his Miranda warnings. WINKELMAN
28 stated he understood and agreed to answer questions.

WINKELMAN stated he was offered some quick money from an
unknown third party. WINKELMAN admitted the Ruger handgun found in
the vehicle was his. WINKELMAN additionally stated, "I made a
stupid choice."

Executed on this 27th day of October, 2007 at 1:31 am/pm

Michael Dockery
Special Agent Michael Dockery

On the basis of the facts presented in this probable cause
statement consisting of 2 pages, I find probable cause to believe
that the defendant named in this probable cause statement committed
the offense on 10/27/07 in violation of Title 21 United
States Code, Section 841(a)(1).

[Signature]
United States Magistrate Judge

10/27/07
Date/Time 3:00pm